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*Plenary sitting*

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7.7.2015

B8-0696/2015

## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the Democratic Republic of Congo (DRC), in particular the case of two detained human rights activists Yves Makwambala and Fred Bauma (2015/2757(RSP))

**Cristian Dan Preda, Davor Ivo Stier, Andrzej Grzyb, Lara Comi, Ildikó Gáll-Pelcz, Jiří Pospíšil, Claude Rolin, Patricija Šulin, Marijana Petir, Bogdan Brunon Wenta, Tomáš Zdechovský, Tunne Kelam, Michaela Šojdrová, Ivo Belet, Eduard Kukan, Dubravka Šuica, Mariya Gabriel, Andrej Plenković, Barbara Kudrycka, Lorenzo Cesa, József Nagy, Ramona Nicole Mănescu, Pavel Svoboda, Luděk Niedermayer, Jaromír Štětina, Therese Comodini Cachia, Maurice Ponga, Stanislav Polčák, László Tóké, Giovanni La Via, Roberta Metsola, Elisabetta Gardini**  
on behalf of the PPE Group

**B8-0696/2015**

**European Parliament resolution on the Democratic Republic of Congo (DRC), in particular the case of two detained human rights activists Yves Makwambala and Fred Bauma (2015/2757(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the Democratic Republic of Congo (DRC), notably that of 12 September 2013,
  - having regard to the local statement of 11 February 2015 of the EU on the situation of human rights in the DRC,
  - having regard to the joint press release of 12 February 2015 by the AU Special Rapporteur on Human Rights Defenders and the AU Special Rapporteur on Prisons and Conditions of Detention in Africa on the human rights situation following the events surrounding the amendment of the Electoral Law in the DRC,
  - having regard to the statement of 22 January 2015 of the International Envoys to the Great Lakes Region on the situation in the DRC,
  - having regard to the statement of 21 January 2015 by the spokesperson of the EEAS on the situation in the DRC,
  - having regard to the Foreign Affairs Council Conclusions of 19 January 2015 on the DRC;
  - having regard to having regard to UN Security Council resolutions, 1925 (2010), 1856 (2008), 2053 (2012) on the situation in the DRC, 2098 (2013) which renewed MONUSCO's mandate, and 2198 (2015) on renewing the DRC sanctions regime and the mandate of the Group of Experts,
  - having regard to the report of 12 January 2015 of the UN Group of Experts on the DRC,
  - having regard to the African Charter of Human and Peoples' Rights of June 1981, ratified by the DRC,
  - having regard to the Cotonou Agreement,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas on 15 March, Congo's national intelligence agency (ANR) arrested about 30 pro-democracy activists in Kinshasa following a workshop on Filimbi, a movement to promote youth mobilisation in politics, together with members of the local and foreign press, and other Senegalese and Burkinabe youth leaders;

- B. whereas, to date, two activists, Fred Bauma, leader of the Goma-based movement Struggle for Change (LUCHA), and Yves Makwambala, a webmaster and graphic artist and nephew of a prominent member of the opposition, remain in detention without access to legal assistance;
  - C. whereas the director-general of the ANR explained that the detainees were being held as part of a "security investigation";
  - D. whereas they were both later charged with belonging to an association formed for the purpose of attacking people and property, forming a conspiracy against the head of State and attempting to either destroy or change the constitutional regime or incite people to take up arms against state authority;
  - E. whereas on 27 March, Congo's National Assembly set up a parliamentary information mission to gather information and report on the arrests; whereas this mission concluded in its report that there was no evidence indicating that the Filimbi leaders and participants were involved in or planning any terrorist or other violent crimes;
  - F. whereas Congo's National Assembly recommended a political solution that would allow for the release of the two activists;
  - G. whereas over the following weeks, mass arrests continued in Kinshasa and Goma, where several LUCHA members were arrested and allegedly beaten or tortured; whereas on April 7, national police arrested four other activists who were peacefully protesting the Kinshasa arrests and are now in prison on charges of inciting disobedience to public authorities;
  - H. whereas the next presidential elections are foreseen in 2016 and there has been growing political tension about the attempts of President Kabila to change the electoral law to extend his mandate beyond the current constitutional limit;
  - I. whereas in January 2015, at least 40 people died and 350 were arrested when security forces brutally repressed demonstrations in Kinshasa and Goma held to protest this electoral law project;
  - J. whereas human rights groups are continuously reporting about the worsening of freedom of expression and assembly in the country; whereas during the January protests, internet and mobile text-message services were shut down by the government;
  - K. whereas freedom of press in the DRC is limited by legal restrictions, as well as by threats and attacks against journalists;
1. Calls for the immediate release of Fred Bauma and Yves Makwalamba unless there are credible charges against them; equally urges the Congolese authorities to release all prisoners of conscience and political prisoners;
  2. Is deeply concerned by the deteriorating human rights situation in the DRC, in particular by the continuous reports of increasing political violence and the severe restrictions and intimidations faced by human rights activists;

3. Recalls that freedom of expression, association and assembly are a fundamental democratic principle; therefore condemns all reported beatings, arbitrary arrest and torture of political and civil society activists; and urges the authorities of the DRC to take all necessary measures to stop all acts of violence and harassment carried out against human rights defenders and journalists;
4. Remind the authorities of the DRC of their obligations to guarantee fundamental rights, including access to justice and the right to a fair trial, as provided for in the African Charter, and other international and regional human rights instruments;
5. Strongly condemns any use of force against peaceful, unarmed demonstrators; urges the Congolese authorities to investigate on human rights abuses by police and state officials, and hold them accountable;
6. Calls on the Government of the DRC to implement all necessary measures to consolidate democracy in the country and to respect, protect and promote the civil and political rights of its citizens;
7. Calls on the Congolese authorities to guarantee in all circumstances the physical and psychological integrity of human rights defenders and to conduct a prompt and impartial investigation in order to identify all those responsible for threatening and attacking several of these defenders;
8. Instructs its President to forward this Resolution to the Council, the Commission, and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the African Union, and the President, Prime Minister and Parliament of the DRC.